



U.S. Immigration
and Customs
Enforcement

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News Release

U.S. CONVICTS FORMER MOSQUE DIRECTOR IN MASSIVE SCHEME TO OBTAIN RELIGIOUS VISAS, FALSE SOCIAL SECURITY CARDS

NEW YORK, N.Y. – Martin Ficke, Special Agent in Charge of the Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) in New York, and David N. Kelley, the U.S. Attorney for the Southern District of New York, today announced the conviction in Manhattan federal court of MUHAMMAD KHALIL, for his role in orchestrating a massive visa fraud scheme.

KHALIL was convicted late yesterday of all eight counts of an Indictment that charged him with conspiring to submit hundreds of false applications on behalf of illegal aliens under the Religious Worker Program, administered by the Department of Homeland Security's Citizenship & Immigration Services ("CIS"), and to obtain genuine Social Security cards in false names. KHALIL was also convicted of making false statements to ICE agents related to the investigation.

According to the Indictment and as proved at trial, KHALIL was the Imam and director of the Dar Ehya Essunnah mosque (the "Mosque"), which was located in a section of the basement of Ditmas Greeting Cards, a variety and greeting card store formerly located at 511 Ditmas Avenue in Brooklyn, New York. Since 1993, as director of the Mosque, KHALIL sponsored over 200 applications for aliens seeking to obtain immigrant and non-immigrant work visas through the INS's Religious Worker program. In 2001 alone, KHALIL sponsored approximately 134 Religious Worker applications. The Mosque's operations ceased soon after Khalil's arrest in February 2003.

As alleged in the Indictment and proved at trial, aliens with religious training and experience can obtain work visas and ultimately green cards if religious organizations in the United States, such as mosques, sponsor them under the Religious Worker program. To qualify for the Religious Worker visas, the aliens, among other things, must be in the United States solely to engage in religious employment, must have received a job offer as a religious worker and must not be working in any secular employment.

According to the Indictment and as proved at trial, KHALIL filed fraudulent paperwork for numerous non-religious workers to obtain Religious Worker visas for which the aliens were not eligible in exchange for fees ranging from \$5,000 to \$8,000 in cash. KHALIL also orchestrated a complex fraudulent payroll scheme whereby he issued bogus payroll checks to the applicants on a bi-weekly basis, requiring the illegal aliens to return to him the amount of the check in cash, plus an additional amount that KHALIL told the aliens was required to pay his employer taxes. KHALIL then filed tax returns for the mosque, issued W-2's to the applicants, and required them to file personal tax returns stating that they were employed as religious workers

at the mosque. This scheme was operated to further deceive the U.S. Government into believing that KHALIL's mosque was a large-scale entity with a burgeoning congregation served by KHALIL's many religious workers. The Government's evidence at trial showed that KHALIL drastically overstated the operations of his mosque and the size of his congregation. According to the evidence at trial, these schemes netted KHALIL at least \$600,000.

The conviction resulted from a three-year long investigation led by ICE agents, who utilized a cooperating witness ("CW") to meet with KHALIL on numerous occasions between August and December 2002. As shown at trial, KHALIL agreed during these meetings to prepare and submit a Religious Worker application for the CW in exchange for \$7,000, even though the CW did not have any religious training and even though KHALIL knew that the CW had a non-religious job. KHALIL provided the CW with sample documents that showed the type of religious education, training and experience that should be included in an application to the Religious Worker program. KHALIL told the CW to use the samples to create documents for the CW's application to the Religious Worker program.

KHALIL's conviction follows the prior convictions of SADAR MOHAMMAD ISHRAT WASI and AHKLAQ AHMED, whom the CW met at Syed Professional Services in Brooklyn, New York, and who agreed to assist the CW in obtaining false religious documents for use in the Religious Worker application. Among the fake documents that AHMED fabricated and provided to the CW were a diploma from the University of the Punjab, an intermediate school degree and a certificate in Islamic studies and a Nazra Qaran certificate. The Government's evidence at KHALIL's trial included the testimony of the Controller of Examinations for the University of the Punjab, Lahore, Pakistan, who testified that he determined that approximately 40 bogus University of the Punjab Diplomas were included in the applications submitted by KHALIL.

KHALIL was also convicted of conspiring with MOHAMMAD AMIN AHMAD to obtain false Social Security cards for the CW in exchange for \$2,300. During the course of his meetings with the CW, KHALIL provided the CW with a real Social Security card issued by the Social Security Administration in the name of "Amjad Ali Chaudhry." AMIN AHMAD previously pled guilty to his role in that scheme.

Charges remain pending against ASIM KHALIL, MUHAMMAD KHALIL's son, for his participation in the fraudulent Religious Worker visa scheme. The charges contained in the Indictment against ASIM KHALIL are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

MOHAMMAD KHALIL was found guilty on all eight counts related to the fraudulent Religious Worker visa scheme and the Social Security Card fraud scheme. The jury also found that the fraudulent Religious Worker visa scheme involved substantially more than 100 fraudulent documents, and that KHALIL was the organizer and leader of criminal activity involving five or more participants, or was otherwise extensive. These findings will form the basis for sentencing enhancements at the time of KHALIL's sentencing.

Sentencing is scheduled before US District Court Judge DEBORAH A. BATTS for January 18, 2005. KHALIL has been remanded to custody since August of this year.

ICE Special Agent in Charge FICKE said, "The Religious Worker Program was established to admit aliens with religious training and experience into the United States, if they were sponsored by a religious

organization. The ICE investigation revealed that Muhammad Khalil was responsible for a massive scheme that brought hundreds of illegal aliens into the United States. None of these aliens were religious scholars, but instead were simply seeking entry into the United States under false pretenses. Today, Khalil's international smuggling pipeline has been shut down and a potentially serious vulnerability to our homeland has been closed."

DAVID N. KELLEY, the United States Attorney for the Southern District of New York praised the investigative efforts of the U.S. Immigration and Customs Enforcement and the Office of Inspector General of the Social Security Administration. He said the investigation was continuing.

Mr. KELLEY stated: "This conviction sends the unambiguous message that we will not tolerate attempts to subvert our country's immigration laws by fraudsters and con artists. The Religious Worker Program serves a valuable purpose, and this defendant took advantage of our country's history of religious tolerance, and exploited the situation of desperate illegal aliens, in order to line his own pockets."

Assistant United States Attorneys EDWARD C. O'CALLAGHAN and DAVID P. BURNS are in charge of the prosecution.

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ICE

U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security (DHS). ICE seeks to prevent acts of terrorism by targeting the people, money and materials that support terror and criminal networks.